

REMARKS

Initially, Applicants gratefully acknowledge the allowance of claim 50 and 54. However, claims 37-41, 43-49, and 51-53 presently stand rejected under 35 U.S.C. § 103 as allegedly unpatentable over various combinations of Waltz (U.S. Patent No. 4,757,425), Farrall (U.S. Patent No. 4,7688,628), Buckley (U.S. Patent No. 5,915,828), and Chubb (U.S. Patent No. 2,169,022). In order to expedite prosecution of this application and issuance of the allowed claims, Applicants have canceled claims 37-41, 43-49, and 51-53, without acquiescence in the grounds of the rejection and without prejudice to pursue at a later time by continuation application or otherwise. It is therefore respectfully submitted that the instant application stands in condition for final allowance.

Notice Concerning Litigation of Related Patent

Applicants hereby apprise the Office that two issued patents (U.S. Patent 6,588,912 and 6,719,434) related to the instant application are currently the subject of a litigation in the United States District Court for the Central District of California, in a matter captioned *Bruce Finn et al v. Mole-Richardson Company Inc., et al*, Civil Action No. 8:06CV-00453-CJC-MLG, filed May 9, 2006. A copy of the complaint is attached (Exhibit 1). Although the pending litigation is not believed to involve "the subject for which a patent is being sought" in this application within the meaning of MPEP 2001.06(c), Applicants nonetheless provide this information for completeness of the Office's records and for the convenience of the examiner.

Request for Allowance

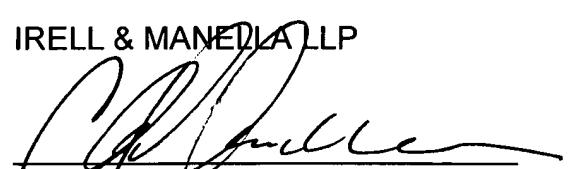
The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any unresolved issue remains, the Examiner is invited to contact the undersigned by telephone to discuss those issues so that the Notice of Allowance can be mailed at the earliest possible date.

It is respectfully submitted that the instant application stands in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

IRELL & MANELLA, LLP

By:


Christopher A. Vanderlaan
Registration No. 37,747

Dated: August 16, 2006

1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067-4276
(310) 277-1010

Customer No. 29000

10/788,603

Bruce L. Finn, et al.

Attorney Docket: 158011-0011

EXHIBIT 1

FILED

1 J. Kevin Snyder, (SBN: 107509): ksnyder@dykema.com
2 Craig N. Hentschel, (SBN: 66178) chentschel@dykema.com - 2 8:3:23
2 DYKEMA GOSSETT LLP
3 333 South Grand Avenue
4 Suite 2100
5 Los Angeles, California 90071

4 Telephone: (213) 457-1800
5 Facsimile: (213) 457-1850

6 Allan Sternstien (pro hac pending) asternstien@dykema.com
7 Dykema Gossett, LLC
8 10 S. Wacker Drive, Suite 2300
9 Chicago, Ill. 60606
10 Telephone: (312) 876-1700
11 Facsimile: (312) 876-1155

12 Jerome Ringler (SBN: 599178) jringler@rkallp.com
13 Ringler Kearney Alvarez, LLP
14 633 W. Fifth Street, 28th Floor
15 Los Angeles, California, 90071
16 Telephone: (213) 473-1900
17 Facsimile: (213) 473-1919

18 Attorneys for Plaintiffs Bruce Finn and Finn Film Services, Inc.

19
20 UNITED STATES DISTRICT COURT
21 FOR THE CENTRAL DISTRICT OF CALIFORNIA

22 SACV06-453 CJC(MLGx)

23 Case No.

24 COMPLAINT FOR PATENT
25 INFRINGEMENT

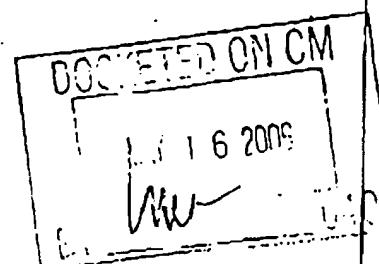
26 Bruce Finn, an individual, and Finn Film
27 Services, Inc., a California corporation,

28 Plaintiffs,

29 vs.

30 Mole-Richardson Company, Inc., a
31 California corporation; and Mole-
32 Richardson Rentals, a California
33 corporation,

34 Defendants.



35 Plaintiffs Bruce Finn ("Finn") and Finn Film Services, Inc. ("FFS"),
36 (collectively referred to herein as "Plaintiffs") alleges against Defendants Mole
37 Richardson Company, Inc., a California corporation; and Mole-Richardson Rentals, a
38 California corporation ("Defendants") as follows:

39 030131815.1
40 DWMCI

41 COMPLAINT

1 JURISDICTION

2 1. This is an action for patent infringement arising under the United States
3 Patent Act, 35 U.S.C. 101 et seq. This Court therefore has jurisdiction under 28
4 U.S.C. 1331 and 1338 (a).

5 THE PARTIES

6 2. Finn is an individual and a resident of Los Angeles, California.

7 3. Finn Film Services, Inc. is a corporation organized and existing under
8 the laws of the State of California and is authorized to do, and is doing business in this
9 judicial district.

10 4. Plaintiffs are informed and believe, and based thereon allege, that
11 Defendants Mole Richardson Company, Inc. and Mole-Richardson Rentals are
12 California corporations with their principal place of business at 937 Sycamore
13 Avenue, Hollywood, California, and were and are, at all times material hereto, doing
14 business in this judicial district. Plaintiffs are further informed and believe, and
15 based thereon allege that Defendants have committed acts of patent infringement in
16 this district, for example, by making, marketing, and renting or selling infringing
17 products in Orange County, California.

18 5. Finn is an Emmy ® award winning Director of Photography and for
19 more than 20 years has been employed as such on television programs, feature length
20 motion pictures, commercials, and live concert performances. As a Director of
21 Photography, Finn has extensive experience and knowledge of lighting and lighting
22 systems used to properly illuminate stages and sets for television, motion picture, and
23 other productions.

24 6. One of the goals of properly lighting stages and sets is to create a
25 powerful soft projected light source. In or about 1998, Finn began exploring ways to
26 generate powerful directed soft light in an efficient and economical manner. Those
27 efforts led to the invention of a portable modular light diffusion box with the capacity

1 to enclose multiple powerful lights in a single integrated unit which is the subject of
2 this matter.

3 **CLAIMS FOR RELIEF**

4 7. Plaintiffs re-allege and incorporate herein by this reference paragraphs 1
5 through 5 hereof as if set forth herein in full.

6 8. United States Patent No. 6,588,912 ("the '912 patent"), entitled
7 "Foldable Modular Light Diffusion Box", was duly and legally issued on July 8, 2003.
8 Finn is the co-inventor and owner of all right, title, and interest in and to the '912
9 patent. A true and correct copy of the '912 patent is attached hereto as Exhibit A.

10 9. United States Patent No. 6,719,434 ("the '434 patent"), entitled
11 "Foldable Light Diffusion Box With Frame Assembly", was duly and legally issued
12 on April 13, 2004. Finn is the inventor and owner of all right, title, and interest in and
13 to the '434 patent. A true and correct copy of the '434 patent is attached hereto as
14 Exhibit B.

15 10. At all times material hereto, Finn Film Services, Inc. was and is the
16 exclusive licensee under the '912 and '434 patents.

17 11. Plaintiffs are informed and believe, and based thereon allege, that
18 Defendants have directly, indirectly, contributorily, and/or by inducement infringed
19 the '434 patent and at least claims 1-8 and 20 of the '912 patent in this judicial district
20 and elsewhere in the United States, by making, using, offering to sell, and/or selling
21 lights and lighting systems embodying the patented inventions.

22 12. Plaintiffs have placed the required statutory notice on all lights and
23 lighting devices manufactured and rented or sold by them under the Patents, and have
24 given written notice to Defendants of the infringement.

25 13. The infringement by Defendants of the '434 patent and at least claims 1-
26 8 and 20 of the '912 patent has injured Plaintiffs and will cause Plaintiffs added injury

1 and damage in the future unless Defendants are enjoined by this court from infringing
2 said patents.

3 14. Plaintiffs are informed and believe, and based thereon allege, that
4 Defendants had actual knowledge of the '434 patent and claims 1-8 and 20 of the '912
5 patent and have willfully, deliberately, and intentionally infringed the claims of said
6 patents.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs prays for judgment as follows:

10 a. That Defendants Mole Richardson Company, Inc. and Mole-Richardson
11 Rentals have directly, indirectly, contributorily, and by inducement infringed claims
12 1-8 and 20 of United States Letters Patent No. 6,588,912;

13 b. That Defendants and its agents, servants, officers, directors, employees,
14 and all persons acting in concert with them, directly or indirectly, be enjoined from
15 infringing, inducing others to infringe, or contributing to the infringement of claims
16 1-8 and 20 of United States Letters Patent no. 6,588,912;

17 c. That Defendants Mole Richardson Company, Inc. and Mole-Richardson
18 Rentals have directly, indirectly, contributorily, and by inducement infringed United
19 States Letters Patent no. 6,719,434:

20 d. That Defendants and its agents, servants, officers, directors, employees,
21 and all persons acting in concert with them, directly or indirectly, be enjoined from
22 infringing, inducing others to infringe, or contributing to the infringement of United
23 States Letters Patent no. 6,719,434;

24 e. That Defendants be ordered to account for and to pay to Plaintiffs the
25 damages to which Plaintiffs are entitled as a consequence of the infringement:

26 f. That the Court treble such damages for the willful, deliberate, and
27 intentional infringement of Defendant, as alleged in paragraph 14;

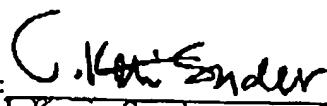
1 g. That Plaintiffs be awarded their costs of suit and attorneys' fees herein in
2 accordance with Title 35 United States Code section 285; and

3 h. That Plaintiffs be awarded such other and further relief as the Court may
4 deem just, proper, and equitable.

5 A JURY TRIAL IS DEMANDED ON ALL ISSUES SO TRIABLE,
6 PURSUANT TO RULE 38 OF THE FEDERAL RULES OF CIVIL PROCEDURE

7 Dated: May 9, 2006

8 DYKEMA GOSSETT, LLP

9 By: 

10 J. Kevin Snyder
11 Craig N. Hentschel
12 Allan Sternstein

13 Jerome Ringer
14 RINGLER KEARNEY ALVAREZ, LLP
15 633 W. Fifth Street, 28th Floor
16 Los Angeles, California 90071

17 Attorneys for Plaintiffs
18 Bruce Finn and Finn Film Services, Inc.

19 DYKEMA GOSSETT LLP
20 333 SOUTH GRAND AVENUE
21 SUITE 2100
22 LOS ANGELES, CALIFORNIA 90071

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record.**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.